

DD/A Registry  
File Pers 17-5

Agenda Item for EAG

DD/A 78-0456/1

John F. Blake  
Deputy Director for Administration

24 FEB 1978

**OGC Has Reviewed**

Comtroller  
Room Rm 4E06

Jim:

Attached are papers relating to an Office of Personnel request to reexamine the Agency's ninety percent rule as it applies to rehire of civilian annuitants. I would appreciate your reviewing the package and determining whether or not this might be included as an upcoming EAG agenda item.

/s/ Jack

John F. Blake  
Deputy Director  
for  
Administration

**Attachment**

DD/A 77-5353; Reexamination of the Agency's Ninety Percent Rule as It Applies to Rehired Civilian Annuitants. Memo from D/OP to DDCI/28 Sept 77.

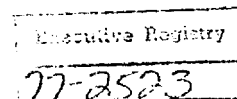
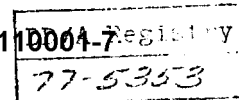
STATINTL

Originator: [REDACTED];se

25 FEB 1978

**Distribution:**

Orig RS - Compt w/above att.  
RS - OP w/all hold ccs  
of att. & RS.  
RS - Subject file  
✓ RS - DDA Chrono  
RS - JFB chrono  
RS - RFZ chrono



MEMORANDUM FOR: Acting Deputy Director of Central Intelligence

VIA: Acting Deputy Director for Administration

FROM: F. W. M. Janney  
Director of Personnel

SUBJECT: Reexamination of the Agency's Ninety Percent  
Rule as It Applies to Rehired Civilian  
Annuitants

REFERENCE: (A) Memorandum, dtd 31 Oct 74, from D/Pers  
to Secretary, CIA Management Committee;  
Subject: Ninety Percent Limitation on  
Total Compensation to Rehired Retired-  
Annuitants

(B) Memorandum OGC 77-4850, dtd 29 Jul 77,  
to IG; Subject: Application of  
[REDACTED] to Rehired Military  
Annuitants

25X1A

1. Action Requested: That the Executive Advisory Group consider a revision in the current Agency policy on reemployed federal civilian annuitants.

2. Background:

a. Referent A memorandum concerned the CIA Management Committee's reaffirmation in November 1974 of the Agency's 90 percent limitation on the amount of compensation plus annuity payable to a federal civilian annuitant rehired as a contract employee.

b. Referent B memorandum is an OGC response to the Inspector General concerning the feasibility

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attachment(s).

E2 IMPDET  
CL BY: 063837

of applying the Agency's 90 percent compensation limitation to rehired military annuitants. The opinion concludes that such an application would raise a substantial question. The opinion goes on, however, to suggest that consideration be given to reexamining the Agency's current 90 percent limitation upon the salary paid civilian annuitants as contract employees.

3. Staff Position:

a. Certain of the reasons behind the adoption of the 90 percent rule in 1967 have now been overtaken by subsequent events. Attached is a background paper tracing the reasoning beginning in 1964 through the adoption of the 90 percent rule in December 1967. The stated purposes behind the adoption of the 90 percent rule were:

"(1) To reduce pressures on Agency officials to reemploy annuitants by making continuing Agency employment less financially beneficial relative to non-government employment.

(2) To avoid situations where it actually costs the government more money in annuities and salary (or fees) than it would if the same work were performed by active career employees.

(3) To minimize criticism of the Agency by employees not extended or reemployed.

(4) To minimize the possibility that CIA will be criticized for evading its own retirement law or be accused of funding its current operations at the expense of the Retirement Fund."

b. For those civilian annuitants rehired as employees, the possibility of the accusation that the Agency is funding its current operations at the expense of the Retirement Fund is no longer applicable with the requirement effective 10 October 1976 that the amount of the annuity of a person so reemployed must be deposited by the Agency with the Civil Service Retirement Fund. A similar requirement will be applicable to CIARDS retroactive to 1 October 1976 upon publication of a proposed Executive Order.

c. Another concern expressed in 1967 was the possibility of a charge that the Agency might evade its mandatory age 60 retirement policy by turning around and hiring annuitants who had been required to retire at that age. In late 1974, the mandatory age of retirement for Agency employees in the Civil Service Retirement System was raised to age 65. That notwithstanding, however, the average age at which employees are now retiring has steadily decreased over the years as shown below:

	<u>Civil Service</u>	<u>CIARDS</u>	<u>Combined</u>	<u>% of Retirements at Age 60 in Years Indicated</u>
FY 67	57.7	55.1	57.0	NA
FY 68	56.6	54.3	56.5	NA
FY 69	57.3	54.4	55.9	NA
FY 70	56.7	54.9	56.3	10.8%
FY 71	56.5	53.2	55.1	14.0%
FY 72	55.9	52.7	54.6	14.0%
FY 73	55.3	53.3	54.3	6.3%
FY 74	54.5	51.7	53.3	6.2%
FY 75	54.3	51.8	52.8	4.0%
FY 76	54.1	51.2	52.4	6.2%

Therefore, the possibility of a charge of circumventing the mandatory age 60 retirement policy would not appear particularly valid today.

d. The salary level of a civilian annuitant rehired as an employee should be determined by the nature and level of the work to be performed without being geared to the grade and step the employee held at the time of retirement, a tendency now existing because of the 90 percent rule. The per hour annuity would continue, just as it is now, to be offset against the per hour salary level of the grade at which the person is being hired.

In the case of civilian annuitants hired as independent contractors, the value of the task to be performed is the governing factor considered in establishing the amount of fee, not the grade and step held by the individual at the time of retirement. The latter consideration under the present 90 percent rule simply determines, after taking into account the

amount of the annual annuity, the maximum limit of the fees which can be paid in a contract year. Eliminating the 90 percent rule and establishing the policy that the maximum amount of fees plus the annuity cannot exceed current maximum annual salary rate for the top step of a GS-15 would be a more realistic control since fees for the tasks performed are not directly related to the grade and step held by the individual at the time of retirement. It should be noted, too, that elsewhere in the federal government, neither the annuity nor grade held at time of retirement have any bearing on the total fee(s) paid an independent contractor.

e. The management level which must approve the rehiring of an annuitant is, I suspect, a more effective deterrent to their being hired than is the 90 percent rule. In 1967, the then Director of Personnel voiced concern over the 131 civilian annuitants on board. The fact is, however, that for the seven succeeding years after the adoption of the 90 percent rule, the number of rehired civilian annuitants remained fairly constant as shown below:

30 June 1968	139
30 June 1969	125
30 June 1970	127
30 June 1971	137
30 June 1972	133
30 June 1973	143
30 June 1974	156

f. The particular interest of the Director in reducing the number of annuitants as demonstrated by the Headquarters Notices of 17 May and 8 August 1977 on this subject requiring even higher level management control is a significant additional factor in their use rather than the present 90 percent monetary limitation.

g. I suspect another deterrent rather than the 90 percent rule was the fact that beginning in 1969, upper level salaries were frozen at \$36,000 per annum while annuities continued to increase, thus limiting the financial attractiveness of reemployment. We are now faced with a similar situation in that upper level salaries are likely to be frozen at the \$47,500 level for the foreseeable future while annuities are likely to increase every 1 March and 1 September.

4. Recommendation: It is recommended that:

a. The present 90 percent limitation be eliminated for those civilian annuitants rehired as employees, and

b. The ~~current~~ salary of the top step of GS-15 be established as the maximum limitation on the total remuneration (including annuity) payable to an independent contractor during a contract year. 3

(Signed) F. W. M. Janney

F. W. M. Janney

Attachments:

Referents A & B (Tab A)

Background Paper on 90% Rule (Tab B)

APPROVED:

\_\_\_\_\_  
Acting Deputy Director of Central Intelligence

DISAPPROVED:

\_\_\_\_\_  
Acting Deputy Director of Central Intelligence

Date \_\_\_\_\_

Distribution:

Orig - Return to D/Pers

1 - A/DDCI

1 - ER

2 - A/DDA

1 - D/Pers

1 - IG

2 - OP/CPD

25X1A

OP/CPD [REDACTED] 7841:pj  
27 Sep 77

MEMORANDUM FOR: Secretary, CIA Management Committee

FROM : Director of Personnel

SUBJECT : Ninety Percent Limitation on Total Compensation to Rehired Retired Annuitants

1. Action Requested: That the Management Committee reconfirm the Agency's policy of the 90 percent limitation on the total compensation payable under [REDACTED] to U. S. Government civilian annuitants rehired as contract employees and that the applicable portion of [REDACTED] be revised to eliminate any ambiguity with regard to this policy.

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25X1A

2. Basic Data or Background: Attached is a copy of a memorandum, dated 25 April 1974, to the Secretary, CIA Management Committee concerning the Agency's policy on the method of computation of the total amount of compensation payable under [REDACTED] to civilian annuitants rehired by the Agency as contract employees.

25X1A

a. In late 1967 as a deterrent to the rehiring of annuitants, the Agency adopted the 90 percent limitation payable to retired annuitants hired under contract. Under that policy, the amount of compensation payable to a rehired annuitant plus his annuity cannot exceed 90 percent of the current salary of the grade and step held at the time of retirement. Independent contractors thus rehired are normally paid on a fee per task basis with the 90 percent limitation based on total compensation payable during a contract year.

b. The same 90 percent limitation applies to those annuitants rehired as contract employees except that, if employed on less than a full time basis, the contractual per hour compensation must be reduced by the per hour annuity rate. The pertinent portion of [REDACTED] as it pertains to employment of retired annuitants as contract employees reads:

25X1A

"The salary to be paid will be negotiated with due regard to the special qualifications of the individual and requirements of the assignment. However, in no case may the salary payments to the annuitant under contract plus his annuity exceed the pay rate of the step closest to 90 percent of the current salary of the individual's grade and step at the time of his retirement."

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3. Staff Position: The Deputy Director for Administration concurs in the recommendation listed below.

4. Recommendations: a. That you reconfirm the 90 percent compensation limitation payable to civilian annuitants rehired as contract employees or independent contractors.

25X1A b. Approve the following revision to [REDACTED] to eliminate any ambiguity as to the amount of compensation payable under the 90 percent rule to an annuitant rehired as a contract employee:

"Contract Employee. The salary to be paid will be negotiated with due regard to the special qualifications of the individual and requirements of the assignment. However, in no case may the salary payments to the annuitant under contract plus his annuity exceed the pay rate of the step closest to 90 percent of the current salary and grade and step at the time of his retirement. The foregoing requirement applies identically to compensation expressed in any individual time increments, i.e., per hour."

25X1A

[REDACTED]  
F. W. M. Janney  
Director of Personnel

25X1A

APPROVED: [REDACTED]

DISAPPROVED: \_\_\_\_\_

22 NOV 1974

Date


Distribution:

- Original - Return to D/Pers
- 11 - CIA Management Committee
- 1 - ER
- 1 - D/Pers
- 1 - OP/CPD (for review)

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MEMORANDUM FOR: Inspector General


STATINTL FROM :   
Assistant General Counsel

SUBJECT : Application of  to Rehired Military Annuitants

25X1A

STATINTL 1. You have asked for the opinion of this Office whether the provisions  
STATINTL of  can lawfully be applied to rehired military annuitants,  
as well as rehired civilian annuitants.  reads as follows:

(1) Contract Employee. The salary to be paid will be negotiated with due regard to the qualifications of the individual and requirements of the assignment. However, in no case may the combination of salary plus annuity computed on an hourly basis exceed the grade and pay step that provides an hourly rate of pay closest to 90 percent of the current salary of the annuitant's grade and step at the time of his or her retirement.

STATINTL 2. Certainly the terms of the first sentence can be applied to all annuitants. And it is our opinion that some of the concepts embodied in the second sentence could be applied to all annuitants, though it is arguable that they could be applied pursuant to the language as it now exists. The second sentence of  as it presently stands involves several interrelated elements: a limitation on the combination of salary plus annuity, which is further limited in that the ceiling is set relative to the rate of compensation received at the time of retirement, and which is still further limited because the ceiling is set at less than 100% of the rate of compensation received at the time of retirement. We will discuss each of these elements in turn.

3. The first of these elements, the establishment of a limitation upon the combination of salary plus annuity would create a substantial problem, in our view, if it were to be applied to military annuitants, since the statutory entitlement to a continuing annuity is quite different for civilian annuitants who may become contract employees of the Agency, than it is for military retirees who may do so. In the case of civilian annuitants, the annuity continues, but a like amount is subtracted from the salary which is paid. (5 U.S.C. 8344)

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This has the effect of the annuitant's receiving the full salary for the position, but receiving no annuity. The military annuitant is entitled to the full salary for the position. And, even when the dual pay provisions of the U.S. Code (5 U.S.C. 5532) apply, at least a limited portion of the military annuity continues to be payable. In sum then, the civilian annuitant receives simply the equivalent of the full salary for the position, while the military annuitant receives the full salary for the position plus some part of the military annuity.

4. While it might in fact be possible to devise a method for applying this element of the provision to rehired military annuitants, given the Agency's relative freedom in the area of personal services contracts, we believe it would be inappropriate to do so. Since a military annuitant continues to realize some portion of his or her annuity when rehired in these circumstances, and the civilian annuitant does not, the only way in which it appears possible to pay equal total compensation, salary and annuity combined, to both civilian and military annuitants, is to pay the military annuitant less salary for the same duties as compared to the civilian annuitant, in order to offset the continuing military annuity. Such an arrangement would put the Agency in the position of penalizing a military annuitant for the existence of an entitlement specifically awarded by the Congress for past services. While it may be possible for us to achieve such a result, it is also quite possible that such a step could be viewed as an abuse of the Agency's special authorities. Consequently, we would counsel against such a step.

5. The second element of this provision encompasses, I believe, the principal point of your question to us. This provision limits the salary which can be paid a civilian annuitant in terms of the grade which the annuitant held at the time of retirement. There is no such limitation on rehired military annuitants. As you point out, a military retiree can be hired by this Agency as a contract employee at whatever grade is considered appropriate, in terms of personal qualifications and the requirements of the job. On the other hand, a civilian annuitant cannot, under the terms of this provision, be paid at a rate which exceeds 90% of the current salary of the rating at which he retired.

6. In our opinion, there is no legal restriction that would preclude the Agency from imposing a limitation on the salary paid military annuitants hired as contract employees just as it does with civilian annuitants. Indeed, the more difficult burden for the Agency may be to demonstrate why it may properly treat one category of annuitants substantially differently than it treats another. While this procedure is not patently impermissible the reasons for the Agency's making this distinction are not readily apparent. In fact, it may be useful to investigate the rationale upon which this distinction is based, in order to determine its sufficiency. Alternatively, it may be more useful to reevaluate the policy supporting such a distinction, even if the basis for it is found to be sufficient.

7. The third element of the provision - the imposition of the 90% limitation upon civilian annuitants, is simply a subset of the second element. In our view, the Agency can legally apply such a limitation, since the Agency is exempt from the terms of the Classification Act of 1949 (P.L. 81-429; see 5 U.S.C. 5102) and the Acting Director's statement of 8 October 1962, setting a policy of voluntary compliance with the terms of the Act applied only to staff personnel. We speak here of contract personnel.

8. This 90% limitation was implemented by the Agency in 1967 as an additional means to control the burgeoning number of retired civilian annuitants who were being hired as contract employees. Since the administrative procedures then in force were not effectively limiting the number of civilian annuitants being rehired, some additional restraint was considered necessary in order to actually limit their numbers. This 90% limitation worked to make employment with CIA less attractive financially to the annuitant, compared to service elsewhere in the government or outside the government, making it less likely that the annuitant would apply for a position with this Agency.

9. In our opinion, the imposition of such a percentage limitation upon the salary of rehired annuitants is, in itself, permissible as one means of promoting certain appropriate organizational goals. These could include for example, making more opportunities available to staff employees, and limiting the number of persons who draw a salary plus an annuity from the government. Here too, our concern is not that such a limitation is applied to annuitants, but the rationale under which it is applied to some annuitants but not others.

10. In our opinion, it would not be wise to simply attempt to apply [redacted] as it is presently drawn, to military annuitants. At the least, the provision which places a limitation upon the combination of salary plus annuity would raise a substantial question.

11. Rather, it is suggested that consideration should be given to re-examining the policies behind both the differing salary treatment now accorded by the Agency to civilian and military annuitants who are hired as contract employees, and the continuation of the 90% limitation upon the salary paid civilian annuitants rehired as contract employees. In the event the decision is made to promulgate a policy according equal salary treatment to both military and civilian annuitants, it is our opinion that [redacted] would need to be substantially revised.

12. As you know, these provisions are currently being revised, though the scope of the revisions contemplated is relatively minor. As part of our response to Regulation Control Branch, we have advised them that you have raised a basic question concerning these provisions.

STATINTL

Attachment

cc: DD/Personnel

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BACKGROUND TO 1967 AGENCY ADOPTION OF  
NINETY PERCENT LIMITATION ON TOTAL  
COMPENSATION OF REHIRED FEDERAL CIVILIAN ANNUITANTS

B

1. In a memorandum dated 21 December 1964 to the four Deputy Directors, the Director of Personnel stated that recent developments in the Agency's retirement program, particularly passage of the CIA Retirement Act, had stimulated a number of questions about the reemployment of retired staff personnel. He then went on to state that any annuitant rehired by appointment or contract to perform duties, as an employee either: (1) would have his annuity discontinued and be paid only the salary appropriate to his duties, or (2) would continue receiving annuity payments but would have his salary during reemployment reduced by the annuity received. In any event, however, such a reemployed annuitant cannot receive a combination of salary and annuity payments in excess of the salary of the duties he performs during reemployment.

2. The 1964 memorandum, however, went on to state: "An annuitant who is hired as an independent contractor to perform services on an infrequent and intermittent basis shall be paid a fee according to the value of those, with no offset or reduction in his retirement annuity."

3. The clear distinction being made above, of course, was between employee and independent contractor. OGC had stated that the Civil Service Retirement Act and the Agency Retirement Act in authorizing reemployment and providing for the continuation of annuity payments both specify that "there shall be deducted from his salary a sum equal to the annuity allocable to the period of actual employment."

4. In January 1966, the DDP, apparently concerned over the number of retired annuitants being hired in the field as independent contractors, issued a memorandum to his division and staff chiefs containing guidelines for

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the rehiring of annuitants. Among other things, the requirement was imposed that no annuitant could be rehired as an independent contractor except with the specific prior approval of the DDP. He also stated that the total of the annuitant's retirement annuity and his annual contract fee may not exceed his annual salary at the time of his retirement.

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5. On 2 March 1967, [REDACTED] Contract Employment of Annuitants, was published containing the Agency policy on the rehiring of annuitants. Policy expressed in that notice was to the effect that it is expected that employees, upon retirement, will sever active connection with the Agency. A civilian annuitant, whether retired from this Agency or from any other Agency of the Government, may not be hired in any contractual capacity whether as an independent contractor or contract employee without the specific prior approval of the Deputy Director concerned and the Director of Personnel. Contracts will be limited to one year with the understanding that they will be terminated earlier if a suitable replacement can be obtained. The gross contractual compensation plus annuity for both contract employees and independent contractor rehired annuitants will not exceed the current salary of the grade and step held at the time of retirement.

6. Then in November 1967, Mr. Echols made a presentation to the Executive Director-Comptroller, the Deputy Directors, IG and General Counsel expressing his concern at the number of reemployed annuitants in the Agency (there were 131 as of 30 October that year). He stated that many of our contract employee annuitants were costing the government more money to perform lesser services than they did as career employees. He went on to say, "In many cases, it would have been less costly to have extended the employee in service and assign him to his contract duties. Finally, I found that many, if not most, of these reemployed annuitants had actually increased their expendable income by the process of retiring and being reemployed." In summary, he proposed a "more objective and realistic job classification" and that a guideline be set on the salary or fee appropriate to the level and amount of work to be done and that this limit be based upon computed net take-home pay. The objectives of these proposals were:

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"1. To reduce pressures on Agency officials to reemploy annuitants by making continuing Agency employment less financially beneficial relative to non-government employment."

"2. To avoid situations where it actually costs the government more money in annuities and salary (or fees) than it would if the same work were performed by active career employees."

"3. To minimize criticism of the Agency by employees not extended or reemployed."

"To minimize the possibility that CIA will be criticized for evading its own retirement law or be accused of funding its current operations at the expense of the Retirement Fund."

25X1A 7. At this point, the written record becomes rather skimpy as to what transpired. On 8 December 1967, Mr. Echols sent a memorandum to the Executive Director-Comptroller saying he had just returned from leave and learned that there was an urgent need to establish more precise concepts and policies regarding the contractual employment of annuitants. The Director of Personnel appended a background paper to his memorandum expressing his misgivings over the Agency's extended use of employees after age sixty. He attached a proposed revision to [REDACTED] which, among other things, addressed itself to the amount of compensation which could be paid a rehired annuitant but was silent on the 90 percent limitation. That draft proposed that:

"The gross contractual salary of a reemployed annuitant will be determined solely by the nature of the duties he performs. Excepting where a higher classification is established by formal position classification processes and approved by the Director of Personnel, gross contractual salary may not exceed the lesser of:

"(a) The current salary of the grade and step held by the employee at the time of retirement."

"(b) An amount equal to the current top step of grade GS-15."

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"(c) An amount equal to the top step of the grade below that held at the time of retirement. This is in recognition of normally reduced managerial and organizational responsibilities."

25X1A 8. The files do not reflect this, but apparently there were conversations between Mr. Echols and Col. White between 8 December 1967 (the date of Mr. Echols' memorandum) and 22 December 1967, the date of a memorandum for the record by [REDACTED] concerning his meeting that morning with Col. White. The pertinent portions of that memorandum are quoted:

25X1A "During the morning of 22 December 1967, I had a discussion with Col. White regarding the new guidelines [REDACTED] for retired annuitants in general and the cases of Messrs. [REDACTED]  
25X1A [REDACTED] in particular."

25X1A "I showed Col. White how we had used the new 90 percent rule to arrive at a fee of \$9,530 p/a for [REDACTED] and how, using the same principle, the maximum fee payable to [REDACTED] would be \$14,366 p/a. I explained to Col. White that we had not as yet received the check list for [REDACTED] that it was in Mr. Karamessines' office."

"Col. White indicated that these two cases were O.K. with him, and he did not need to see them again. He did say, however, that he wanted to see other cases involving senior Agency officials until things had "shaken down" a bit."

25X1A "In my presence, he 'approved' the latest draft of [REDACTED] which he had discussed with the Director 20 December 1967. He dictated a note to Mr. Karamessines informing him that the new guidelines would be effective as of 20 December. He then asked his secretary to xerox a copy of the draft for Mr. Karamessines' use until [REDACTED] could be printed in final form and published."

9. Thus the 90 percent limitation came into existence in late December 1967 after the Executive Director-Comptroller had obtained the Director's approval for its implementation to be effective 20 December 1967.

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DD/A Registry  
File *Personnel-17*

SUBJECT: (Optional)

FROM: Acting Director of Personnel  
5 E 58 HQ

EXTENSION

NO.

DD/A Registry

78-0456

DATE

1 FEB 1978

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

STATINTL

*EO/DDA*

RECEIVED

FORWARDED

2/2

3 FEB 1978

*h*

1. Acting Deputy Director  
for Administration

Mike:

On 28 October 1977 we met with the Acting DDCI to discuss the attached memorandum on the Agency's Ninety Percent Rule. At that time he requested that we defer discussion until the end of January. Would you please ask him if he wishes to defer further or to meet again to discuss our presenting the question to the EAG.

STATINTL

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*AD/Pers*

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*1-3*  
*Let's wait till*  
*he returns to*  
*this office.* STATINTL

ADDA/MJMalanick:lm (3 Feb 78)

Distribution:

Orig RS - AD/Pers w/att  
1 RS - DDA Subject w/att  
1 RS - DDA Chrono  
1 RS - MJM Chrono

Attachment: DDA 78-5353, Memo for ADDCI from D/OP, dated 28 Sept 1977, Subject: Re-examination of the Agency's Ninety Percent Rule as It Applies to Retired Civilian Annuitants.



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ROUTING AND RECORD SHEET

SUBJECT: (Optional)		EXTENSION		NO.
FROM:		DATE		DATE
F. W. M. Janney Director of Personnel 5E-58, Hqs		7427		28 SEP 1977
TO: (Officer designation, room number, and building)	DATE	RECEIVED	FORWARDED	OFFICER'S INITIALS
1. A/DDA 7D-18, Hqs	4 OCT 1977			hy
2.				
3. ER 7E-12, Hqs	5 OCT 1977			EA
4.				
5. A/DDCI	6 OCT 1977			SS
6. Mike Mahan ADDA	11 OCT 1977			2y
7. 7D-24 Hqs				
8. D/Personnel 5E-58, Hqs				
9.				
10.				
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To 6  
Please see



STATINTL

linda -  
set up a time -  
11 OCT 1977  
want to go back  
from leave.

12 OCT 1977